

# Tenant-Landlord Commission FY 2018 Annual Report



Fairfax County Tenant-Landlord Commission  
June 30, 2018

## Fairfax County Board of Supervisors



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## Chairman's Message

On behalf of the Tenant-Landlord Commission, I would like to thank the Fairfax County Board of Supervisors for the continued opportunity to support and engage the tenant-landlord community through education and objective assistance. This report is provided to advise the Board of Supervisors on tenant-landlord problems and trends, and inform the public about the information available concerning rights and responsibilities of tenants and landlords and the arbitration program provided by the Commission based on tenant-landlord complaints referred by the Consumer Affairs Branch of the Department of Cable and Consumer Services.

During FY 2018, Commission members joined with staff of the Consumer Affairs Branch to reach tenants and landlords at community events such as expos and forums. The Commission continues to seek input from the tenant-landlord community to provide timely publications and services which are available on the County's Web site or distributed at public events.

I am extremely proud of the work the Tenant-Landlord Commission does and look forward to another year supporting the residents of Fairfax County to enrich the quality of life for tenants and landlords in Fairfax County.

### **Eric Fielding**

Chairman

Tenant-Landlord Commission



## Executive Summary

The Tenant-Landlord Commission was established on October 27, 1971, by the Fairfax County Board of Supervisors. The Commission gives objective and fair assistance to the County's tenants and landlords by providing presentations, publications, and programming.

The Commission also provides voluntary arbitration. A panel representative of the citizen, tenant, and landlord members of the Commission conducts a hearing that is legally binding on both parties and can be enforced in court if necessary. These dispute resolution alternatives foster open communication between tenants and landlords without the expense or formality of a court hearing.

Staff support for the Commission is provided by the Consumer Affairs Branch of the Department of Cable and Consumer Services.

The rental housing market in Fairfax County includes 79,638 rental housing complex units as of January 2017, a 2.9 percent increase from 2016. The knowledge and information shared by the Commission adds value to the rental experience in Fairfax County.

In FY 2018 Consumer Affairs processed 2,110 inquiries from tenants and landlords about laws, lease agreements, security deposits, maintenance and repair, evictions, foreclosure, and other issues impacting rental dwellings. Voluntary mediation provided by Consumer Affairs offers tenants and landlords an open forum in which to resolve disputes and issues relating to rental dwelling units.

After voluntary mediation or arbitration is completed, the case is closed, and a summary outlining the details of the complaint is made available to the public on the County Web site. Reviewing closed case summaries, and the manner in which a complaint is resolved, provides an opportunity for tenants to have information they can use to determine if a rental dwelling will fit their needs, expectations, and lifestyle.

The Commission participates with Consumer Affairs in providing community outreach to educate tenants and landlords on information and resources available through Consumer Affairs. Presentations are made throughout the year to housing providers, community groups, civic associations, senior centers, schools, and faith-based and non-profit organizations. Topics covered include tenant-landlord laws, applications, leases, security deposits, rent, maintenance and repairs, eviction, and county resources.

The Commission assists with the development of educational material in partnership with Consumer Affairs, Fairfax County Government Channel 16, other County agencies, and community stakeholders. Publications such as the *Lease Checklist*, *Tenant Resource Sheet*, and *Renting a Room in Fairfax County* provide guidance so tenants can make informed decisions, ensuring a safe, healthy, and quality rental experience.

Fairfax County Government Channel 16 televises educational programming on maintenance and repair obligations, bed bugs, and renter's insurance. Consumer Affairs also publishes tenant-landlord information and resources on Facebook and the County Web site.

Renting provides an option and choice for many in Fairfax County and the Commission is committed to creating awareness and knowledge of the services available for the tenant-landlord community. The Commission ensures both tenants and landlords are aware of their rights and responsibilities through education, information, mediation, and arbitration.



## Tenant-Landlord Commission



**Eric Fielding**  
Chairman  
Public Member

**Amy Purnell**  
Tenant Vice-Chairman  
Tenant Member

**Jade Harberg**  
Secretary  
Tenant Member

**Tony E. Gomez**  
Public Member

**Karen M. Geier-Smith**  
Landlord Vice-Chairman  
Landlord Member

**Christopher L. Kocsis**  
Landlord Member

**Paula Park**  
Landlord Member

The Fairfax County Board of Supervisors established the Tenant-Landlord Commission on October 27, 1971, pursuant to Fairfax County Code Section 12-2-1 to provide assistance and information to educate the public on tenant-landlord matters regarding rental dwelling units in Fairfax County.

The Commission is composed of Fairfax County residents appointed by the Board of Supervisors. The Commission was originally composed of nine members; four tenant members, four landlord members, and one member of the community at large. On September 23, 1974, the Board of Supervisors adjusted the membership to include three landlord members, three tenant members, and three citizen members. On April 27, 1981, a condominium member was added. Currently the Commission is composed of 10 members; three landlord members, three tenant members, one condominium member, and three citizen members.

The business of the Commission is guided by the Bylaws adopted by a majority vote of the Commission members and approved by the Board of Supervisors.

The mission of the Commission is to give objective and fair assistance to Fairfax County tenants and landlords.

The duties of the Commission are to:

- Educate the public concerning the rights and responsibilities of tenants and landlords;
- Inform tenants and landlords of the mediation and arbitration services available through Consumer Affairs and the Commission;
- Arbitrate tenant-landlord complaints;
- Advise the Board of Supervisors of tenant-landlord problems and trends;
- Represent Fairfax County before legislative, public, and private bodies; and,
- Recommend changes in tenant-landlord laws at all levels of government.

The Commission meets at 7:30 p.m. at the Fairfax County Government Center during the months of February, April, June, August, October, and December. Meetings are open to the public with time available for public comment.

Additional information on the Commission, including this annual report, is available on the Commission Web site at <https://www.fairfaxcounty.gov/cableconsumer/csd/tenant-landlord-commission>.

## Tenant-Landlord Arbitration

A voluntary, but legally-binding [arbitration process](#) is available through the Commission when mediation efforts are exhausted by Consumer Affairs. Arbitration provides an efficient and inexpensive alternative to court for resolving tenant-landlord disputes. An arbitration panel consists of a citizen, tenant, and landlord member from the Commission. Hearings are scheduled at the convenience of the tenant and landlord.

In FY 2018, the Commission held two arbitration hearings. Both hearings involved security deposits as summarized below:

### SECURITY DEPOSIT - ROOM RENTAL

A tenant rented a bedroom in the home of a private landlord. After vacating the room, the tenant alleged the landlord improperly deducted \$264.79 for carpet stains from the tenant's security deposit of \$500. After a resolution could not be reached through mediation, the tenant and landlord submitted an agreement to Consumer Affairs for binding arbitration. The hearing was conducted by a three-member panel appointed by the Chairman of the Tenant-Landlord Commission. Testimony and evidence was presented by both parties. After deliberation, the arbitration panel awarded the tenant \$264.79, which was paid by the landlord.

### SECURITY DEPOSIT - PROPERTY RENTAL

A tenant rented a single family home from a private landlord. After vacating the property, the tenant alleged the landlord improperly deducted charges for ordinary wear and tear from the tenant's security deposit of \$4,000. After a resolution could not be reached through mediation, the tenant and landlord submitted an agreement to Consumer Affairs for binding arbitration. The hearing was conducted by a three-member panel appointed by the Chairman of the Tenant-Landlord Commission. Testimony and evidence was presented by both parties. After deliberation, the arbitration panel awarded the tenant \$3,850, which was paid by the landlord.



## Rental Housing Market in Fairfax County

Fairfax County offers a broad variety of housing for rent. Potential renters can choose from single-family homes, townhouses, condominiums, and apartments. According to the [Rental Housing Complex Analysis](#) prepared by the Fairfax County Department of Management and Budget, as of January 2017, there were 79,638 rental housing complex units in Fairfax County. There were 2,235 more rental complex units in January 2017 than there were in January 2016, representing a 2.9 percent increase. The total inventory of available rental units is actually greater because this number does not include units leased by individual owners, public housing units, and privately owned subsidized housing complexes.

Average monthly rent in the County for complexes without rent subsidies was \$1,788 in January 2017. This is \$38 higher than reported in January 2016, representing a 2.2 percent increase. The rents of these units are considered fair market rents. The average fair market rent excludes subsidized units, affordable dwelling units, workforce housing units, and senior units where rent includes meals. The vacancy rate for all rental complexes, those with and without subsidies, was estimated to be 5.3 percent as of January 2017. The 2017 vacancy rate was a 2.8 percent decrease from 2016.

As the County redevelops and grows, the Commission and Consumer Affairs will continue to provide education and information to residents on the evolving rental housing market in Fairfax County.

<b>Rental Housing Complex Analysis: Average Monthly Rent by Unit Type Fairfax County, 2016 and 2017</b>			
Unit Type	Average Rent		
	2016	2017	Percent Change
Studio/Efficiency	\$1,413	\$1,491	5.5%
1 Bedroom	\$1,561	\$1,599	2.4%
1 Bedroom/Den	\$1,672	\$1,704	1.9%
2 Bedrooms	\$1,857	\$1,898	2.2%
2 Bedrooms/Den	\$1,909	\$1,930	1.1%
3 Bedrooms	\$2,163	\$2,216	2.5%
3 Bedrooms/Den	\$2,211	\$2,142	-3.1%
4 Bedrooms	\$2,132	\$2,055	-3.6%
<b>Fairfax County</b>	<b>\$1,750</b>	<b>\$1,788</b>	<b>2.2%</b>

Source: Fairfax County Department of Management and Budget.

**Note:** Figures do not include units leased by individual owners, public housing units, and privately owned subsidized housing complexes.

### Tenant-Landlord Inquiries

Consumer Affairs responds to advice, inquiries for information, and referrals. During FY 2018, Consumer Affairs received and responded to 2,110 inquiries from tenants and landlords. Inquiries were received about laws, lease agreements, security deposits, maintenance and repair, evictions, foreclosure, and other issues impacting rental dwellings.

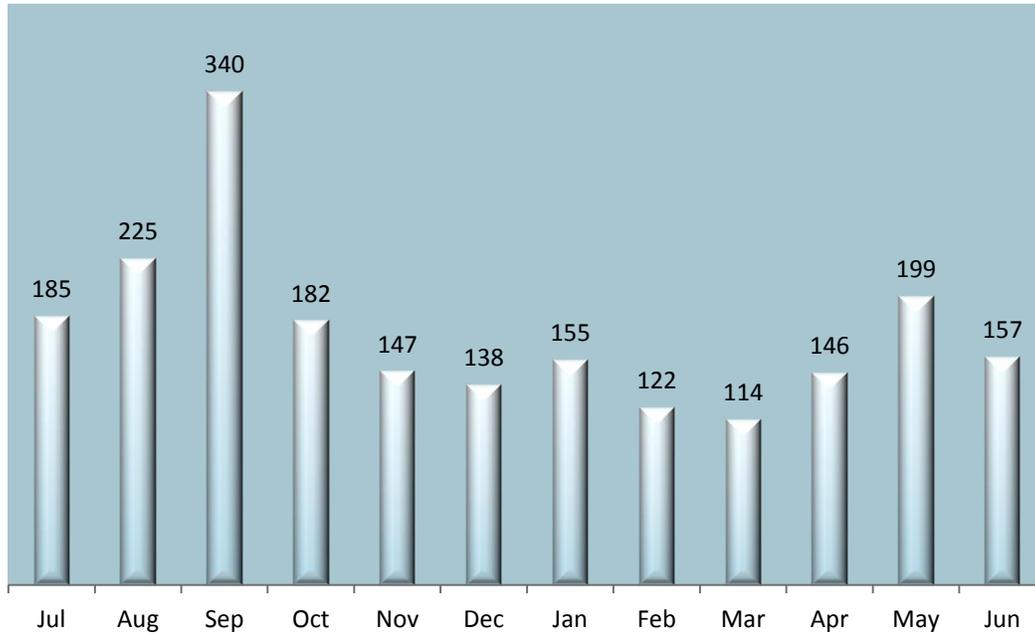


Figure 1 Tenant-Landlord Inquiries for Fiscal Year 2018

## Consumer Complaints

In addition to advice, a tenant may file a complaint with Consumer Affairs. Through mediation, a Consumer Specialist works with the tenant and landlord to assist both parties in reaching a favorable resolution.

In FY 2018, Consumer Affairs mediated 314 tenant-landlord complaints. Consumer Affairs publishes [case summaries](#) of all closed complaints within the last three years on the County Web site. Reviewing complaint summaries offers tenants an overview of Consumer Affairs mediation efforts and can also provide helpful information on rental dwellings in Fairfax County.

Complaint summaries featuring comments from consumers satisfied with the mediation provided by Consumer Affairs are highlighted below:

### IMPROPER CHARGES

Bill E., the tenant, rented an apartment from a landlord. After vacating the unit, Bill alleged the landlord improperly charged for painting and carpet replacement in the amount of \$314.36. Bill paid the balance owed on the account to avoid collections, but then disputed the charges. Bill requested the landlord refund \$314.36. After Consumer Affairs intervention and mediation, the landlord offered to reduce the paint and carpet damages and mailed a \$200 refund check. The tenant was satisfied with the results.

**BILL E.**  
Tenant

"...Thank you for all of your help on this. I have received and deposited a check for \$200. I am very pleased with the way the County assisted with my complaint..."

### SECURITY DEPOSIT

Nalini A. and one other tenant, rented a condominium from a private landlord. After vacating the property, Nalini alleged the landlord failed to return their security deposit of \$2,200. Nalini requested the landlord refund the full security deposit or provide documentation for the deductions. After Consumer Affairs intervention and mediation, the landlord provided documentation of the deductions and agreed to refund \$770 to each tenant for a total refund of \$1,540.

**NALINI A.**  
Tenant

"...Wanted to inform you that I received the check. Thank you so much again for all your efforts to resolve this issue..."

## LEASE AGREEMENT

CHRISTINA H.

Tenant

"...I received the check in the mail and wanted to thank Consumer Affairs for your help. I couldn't have done it without you..."

Christina H., the tenant, rented a condominium from a landlord. After vacating the property, Christina alleged the landlord improperly deducted charges from the security deposit. Additionally, the Christina alleged the landlord failed to refund the security deposit in the 45 days required by the lease agreement. Christina requested the landlord refund \$1,495. After Consumer Affairs intervention and mediation, the

landlord acknowledged the delay, but disagreed with the tenant's allegations about the improper deductions. However, by mutual agreement, the landlord refunded \$1,180 and the tenant accepted the refund amount.

## Community Outreach

The Commission and Consumer Affairs analyze trends and issues of concern in response to complaints received and mediated by staff. This analysis is used to develop educational information for outreach, publications, and programming.

Consumer Affairs provides outreach presentations throughout the year to housing providers, community groups, civic associations, senior centers, schools, and faith-based and non-profit organizations.

The Commission participates with Consumer Affairs in providing community outreach to educate tenants and landlords on information and resources available through Consumer Affairs. In FY 2018 Consumer Affairs conducted 265 outreach events throughout the County.

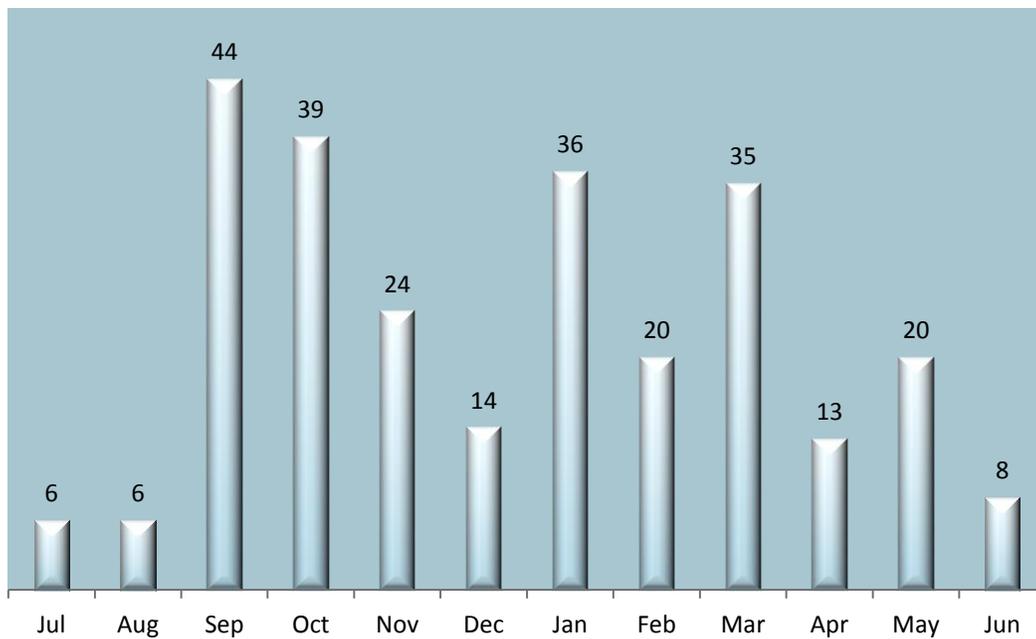


Figure 2 Community Outreach Events for Fiscal Year 2018

Consumer Affairs offers presentations on the following topics:

- All About Consumer Affairs
- Automobile Sales and Repairs
- Data Breaches
- Door to Door Scams
- Financial Education
- Funeral Planning
- High School 101
- Home Improvement
- Identify Theft
- Medical Identify Theft
- Online Holiday Shopping
- Scams Against Seniors
- What Landlords Need to Know
- What Tenants Need to Know
- What’s in Your Credit Report
- When Debt Collectors Call

Consumer Affairs coordinates with several Fairfax County entities in an effort to provide ongoing information and resources across a broad audience in Fairfax County.

#### **FAIRFAX COUNTY OFFICE TO PREVENT AND END HOMELESSNESS**

Consumer Affairs provides tenant education training throughout the County to housing locators who work in supportive housing programs, and to those who educate clients about tenant responsibilities.

#### **LEGAL SERVICES OF NORTHERN VIRGINIA**

Consumer Affairs coordinates with Legal Services of Northern Virginia to provide information and guidance to tenants and landlords in Fairfax County. Legal Services of Northern Virginia offers a variety of self-help resources through online links to forms and documents for tenants and landlords.

#### **KATHERINE HANLEY FAMILY SHELTER**

In coordination with Shelter House, Inc., Consumer Affairs provides information and resources for tenants re-entering the rental market. Rights and responsibilities are discussed with a focus on services provided by the Commission, Consumer Affairs, and other County agencies.

#### **FAIRFAX COUNTY DEPARTMENT OF FAMILY SERVICES**

Life Skills workshops are presented to teens on the rights, responsibilities, and obligations of becoming future tenants. Resources and information about Consumer Affairs and other County agencies are provided to prospective tenants so they know who to contact and where to request assistance before and after they enter the rental market.

#### **NORTHERN VIRGINIA HOUSING EXPO**

The Commission and Consumer Affairs participate in the expo to provide tenant-landlord information to attendees.

#### **NORTHERN VIRGINIA ASSOCIATION OF REALTORS®**

Workshops are presented by Consumer Affairs outlining the Virginia Residential Landlord and Tenant Act lease agreement. Complaints received by Consumer Affairs and the resolutions achieved through mediation are highlighted.

#### **HOUSING OPPORTUNITIES COLLABORATIVE**

In collaboration with other County agencies, Consumer Affairs supports the Housing Opportunities Collaborative in their efforts to provide incentives for landlords in order to promote equal access to housing for all persons in the County.

**HOUSING CHOICE VOUCHER PROGRAM**

Consumer Affairs joins efforts with the Fairfax County Redevelopment and Housing Authority to share information and resources with landlords currently participating in the Housing Choice Voucher program as well as landlords interested in becoming a Housing Choice Voucher landlord.

**FINANCIAL EMPOWERMENT CENTER**

Consumer Affairs presents the workshop, *What Tenants Need to Know*, at the South County Government Center to ensure tenants have access to quality services and guidance where they live and work.

**TENANT INFORMATION WORKSHOPS**

In collaboration with the Department of Code Compliance and the Department of Neighborhood and Community Services, Consumer Affairs coordinates and facilitates workshops for tenants to connect them with available County resources.

These efforts keep the Commission, Consumer Affairs, and communities connected and invested in maintaining livable neighborhoods.

## Tenant-Landlord Publications

The Tenant-Landlord Commission analyzes trends and issues of concern in response to complaints mediated by Consumer Affairs. As residents of the County and in active service in the tenant-landlord community, Commissioners bring knowledge and expertise regarding rental dwellings. Their collective knowledge is used to develop the following educational publications for the tenant-landlord community.

### LEASE CHECKLIST

The checklist provides guidance for prospective tenants and landlords and outlines the rights, responsibilities, and obligations involved with a lease agreement.

### HANDBOOK FOR TENANTS AND LANDLORDS

The handbook offers expanded information and guidance about tenant-landlord laws. Various laws, regulations, ordinances, resources, and referrals are provided so tenants and landlords know where to go and whom to contact in Fairfax County for assistance and information.

### TENANT RESOURCE SHEET

The resource sheet provides information for tenants so they know which County agency to contact for assistance with repair or maintenance problems in their rental dwelling. Tenants are encouraged to contact their landlord first when there is a problem, but if they do not get the help they need, they can contact the appropriate County agency to address their issue.

### WHAT TENANTS AND LANDLORDS NEED TO KNOW BROCHURE

The brochure provides answers to frequently asked questions by tenants and landlords regarding laws, lease agreements, security deposits, rent, maintenance and repairs, and eviction. Information about how to contact Consumer Affairs to discuss a dispute or file a complaint is also included.

### ENERGY-SAVING TIPS FOR RENTERS

The tips recommend ways to save money by improving energy efficiency. Reducing energy consumption and protecting the environment provide real savings for both renters and landlords.

### RENTING A ROOM IN FAIRFAX COUNTY

For many, renting a room is the first step into entering the residential rental market. Resources are provided to equip prospective tenants with information to help them select a room that best meets their individual housing needs and lifestyle.

**THE INFORMED CONSUMER NEWSLETTER**

The newsletter provides clear and concise information and resources with important contact information to quickly connect tenants and landlords with agencies ready to provide guidance and assistance on issues such as lease agreements, renting, fair housing, maintenance, fire safety, eviction, and mediation.

Consumer Affairs publishes this information on social media, the Consumer Services Division Web site at <https://www.fairfaxcounty.gov/cableconsumer/csd/consumer> and Fairfax County Government Channel 16 at <https://www.fairfaxcounty.gov/cableconsumer/channel-16/fairfax-county-government-television>.

## Tenant-Landlord Programs

Consumer Affairs publishes educational programming on a variety of tenant-landlord issues. The programs below are available on Fairfax County Government Channel 16, Video-on-Demand on the County Web site, and Facebook.

### *BED BUGS*

This program provides an overview on how tenants and landlords can detect and defend against bed bugs. Guidance and information is provided by Consumer Affairs, the Fairfax County Health Department, American Pest Management, and Southern Management Corporation.

### *RENTER'S INSURANCE PSA 1 AND RENTER'S INSURANCE PSA 2*

The Commission developed public service announcements to encourage tenants to obtain renter's insurance. The announcements highlight the need for tenants to protect their personal property from events such as flood, fire, theft, and accidental injury to others. Information is provided in coordination with the Virginia Bureau of Insurance of the Virginia State Corporation Commission.

### *CONSUMER CONNECTION*

Through Facebook Live, Consumer Affairs connects with consumers in real time with *Consumer Connection*, a monthly live video chat, covering a variety of consumer issues. The featured chat for the tenant-landlord community discusses "Summer Rentals" and can be viewed on the Consumer Affairs Facebook page at <https://www.facebook.com/fairfaxcountyconsumer>.



## In Review

With over four decades of service to the tenant-landlord community, the Commission remains committed to keeping tenants and landlords informed in response to housing trends, issues, and challenges. The balanced membership of the Commission ensures that all residents of Fairfax County have a voice and that tenants and landlords have a consistent, reliable source for obtaining information to help them understand their rights, responsibilities, and obligations.

The expertise, knowledge, and commitment of the Commission provides assurance that tenants and landlords can enjoy being a part of a neighborhood that not only provides a great place to live, work, and explore, but also a place they can call home.



## Fairfax County Tenant-Landlord Commission

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Fairfax, VA 22035

703-222-8435 TTY 711

<https://www.fairfaxcounty.gov/cableconsumer/csd/tenant-landlord-commission>

<https://www.fairfaxcounty.gov/cableconsumer/csd/consumer>

[www.facebook.com/fairfaxcountyconsumer](http://www.facebook.com/fairfaxcountyconsumer)



Fairfax County is committed to nondiscrimination on the basis of disability in all County programs, services and activities. Reasonable accommodations will be provided upon request. For information, call the Department of Cable and Consumer Services at 703-222-8435 TTY 711.



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